

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT NOBLE : CIVIL ACTION  
:   
: v. : No. 05-4955  
:   
: JAMES GRACE, et al. :   
:

**ORDER**

AND NOW, this 16<sup>th</sup> day of February, 2006, the Report and Recommendation of United States Magistrate Judge Charles B. Smith is APPROVED and ADOPTED,<sup>1</sup> the Petition for Writ of Habeas Corpus (Document 1) is DISMISSED, and there is no basis for the issuance of a certificate of appealability. This case should be CLOSED for statistical purposes.

BY THE COURT:

/s/ Juan R. Sánchez  
Juan R. Sánchez, J.

---

<sup>1</sup>Petitioner did not file objections to the Report and Recommendation.